

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

Duquesne Light Company	)	Docket Nos. ER08-194-000, -001
	)	
Midwest Independent Transmission System Operator, Inc. and Duquesne Light Company	)	Docket Nos. ER08-1235-000, -001
	)	
Midwest Independent Transmission System Operator, Inc. and Duquesne Light Company	)	Docket Nos. ER08-1309-000
	)	
PJM Interconnection, L.L.C.	)	Docket Nos. ER08-1339-000
	)	
PJM Interconnection, L.L.C.	)	Docket Nos. ER08-1345-000
	)	
Midwest Independent Transmission System Operator, Inc. and Duquesne Light Company	)	Docket Nos. ER08-1370-000
	)	
	)	( not consolidated)
	)	

**MOTION TO INTERVENE OUT-OF-TIME OF  
THE INDEPENDENT MARKET MONITOR FOR PJM**

Pursuant to Rules 212 and 214 of the Commission’s Rules and Regulations, 18 CFR 385.212 & 385.214 (2008), Monitoring Analytics, LLC, acting in its capacity as the Independent Market Monitor for PJM (“Market Monitor”), submits this motion to intervene out-of-time in the above-captioned proceedings.<sup>1</sup>

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<sup>1</sup> PJM Interconnection, L.L.C. is a FERC-approved Regional Transmission Organization.

## I. MOTION TO INTERVENE

The PJM Tariff requires that the Market Monitor, among other things, monitor the PJM markets for “[s]tructural problems ... that may inhibit a robust and competitive market.”<sup>2</sup> Because Duquesne’s transfer will alter the definition of the seam between the PJM and its neighboring systems and markets, and will affect the structure and operation of PJM’s markets in the short- and long-term, this matter implicates matters within the Market Monitor’s purview, and it is in the public interest that the Commission grant this motion. Rule 214 provides that the Commission may grant interventions where “[t]he movant’s participation is in the public interest.”<sup>3</sup> The Market Monitor has the exclusive duty to perform the market monitoring function for PJM, and no other party can adequately represent it in this proceeding. Accordingly, the Market Monitor moves that the Commission grant it leave to intervene and afford to it full rights as a party to this proceeding.

Leave to intervene out-of-time should be permitted because the Market Monitor was housed as a division of PJM when this proceeding began, but, as of August 1, 2008, became a fully independent entity. The Market Monitor accepts the record of the proceedings as it developed prior to this filing. Consequently, permitting the Market

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<sup>2</sup> PJM Open Access Transmission Tariff, Attachment M § IV.B.3.

<sup>3</sup> 18 CFR § 214(b)(2)(iii).

Monitor to intervene will not be disruptive, impose a hardship on or prejudice any party.

## II. COMMUNICATIONS

Pursuant to 18 C.F.R. § 385.203(b)(3), the Market Monitor designates the following persons as those to receive all notices and communications with respect to this proceeding:

Joseph E. Bowring  
President  
Monitoring Analytics, LLC  
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**III. CONCLUSION**

The Market Monitor respectfully requests that the Commission grant this motion to intervene in this proceeding.

Respectfully submitted,



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Jeffrey W. Mayes

Joseph E. Bowring

Independent Market Monitor for PJM

President  
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Dated: November 12, 2008

## CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated on the official service list compiled by the Secretary in this proceeding.

Dated at Eagleville, Pennsylvania,  
this 12<sup>th</sup> day of November, 2008.



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